

Notice of Allowability

Application No.

10/056,404

Examiner

Brenda Pham

Applicant(s)

GANCARCIK ET AL.

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/25/02.
2. ☒ The allowed claim(s) is/are 1,3-11, renumbering as 1-10, respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/04;7/04;1/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Brenda A. Pham

9/14/05

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. David B. Cochran Esq., Reg. No. 39,142 on September 13, 2005.

2. The application has been amended as follows:

Claim 2 is canceled.

Claim 1, line 15, after "data encapsulated in said datagrams" inserted "; wherein said first protocol is implemented within each of said plurality of application platforms by a physical layer for exchanging said voice and data between said plurality of application platforms and said at least one network portal using said datagrams, an application specific interface for formatting said voice and data for use by said application platforms, and a first information encapsulation layer for encapsulating said voice and data into said datagrams, appending said source/destination headers to said datagrams and transmitting said datagrams over said physical layer and for stripping said source/destination headers from said datagrams received from said physical layer and transmitting said voice and data to said application specific interface."

Claim 3, "claim 2" is changed to "claim 1".

Claims 6, 7, 8, 9, "claims 1 to 5" is changed to "claim 1" respectively.

REASONS FOR ALLOWANCE

3. Claims 1, 3-11 allowed.

4. The following is an examiner's statement of reasons for allowance: the prior art made of record does not teach or fairly suggests in combination wherein said first protocol is implemented within each of said plurality of application platforms by a physical layer for exchanging said voice and data between said plurality of application platforms and said at least one network portal using said datagrams, an application specific interface for formatting said voice and data for use by said application platforms, and a first information encapsulation layer for encapsulating said voice and data into said datagrams, appending said source/destination headers to said datagrams and transmitting said datagrams over said physical layer and for stripping said source/destination headers from said datagrams received from said physical layer and transmitting said voice and data to said application specific interface

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Peifer et al (US 5,987,519) disclose packet-based telemedicine system for monitoring remotely located patients. Encapsulation of voice, video and medical data in

Art Unit: 2664

packets is done by LAN card using TCP/IP which is a communication protocol and are sent to central monitoring station via the hybrid network. The hybrid network consists of one or more network from the group of network , CATV network, ATM network, internet, PSTN and WAN.

Bell et al (US 5,659,542) discloses a system and method for signaling and call processing for private and hybrid communications systems including multimedia systems.

Conclusion

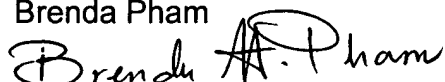
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

September 14, 2005

Brenda Pham

Brenda A. Pham